

SACRAMENTO OFFICE
STATE CAPITOL
SACRAMENTO, CA 95814
(916) 445-4961

DISTRICT OFFICE
18552 MAC ARTHUR BLVD.
SUITE 395
IRVINE, CA 92612
(949) 833-0180
(714) 630-3304
(800) 221-2225

California State Senate

SENATOR
ROSS JOHNSON
THIRTY-FIFTH SENATORIAL DISTRICT

COMMITTEES:
APPROPRIATIONS
GOVERNMENTAL ORGANIZATION
INSURANCE
RULES



September 30, 2003

Liane Randolph, Chair
Philip Blair, Commissioner
Sheridan Downey, Commissioner
Pamela Karlan, Commissioner
Thomas Knox, Commissioner
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814

Dear Chairperson Randolph and Commissioners:

California's Political Reform Act expressly limits contributions to ballot measure committees to no more than \$26,600 if three things are true:

- The committee's advertising clearly identifies a candidate for state office (even if it does not expressly advocate the election or defeat of that candidate);
- 2. The advertising is broadcast within 45 days of the election;
- 3. The communication is made at the behest of the clearly identified candidate.

Today, Cruz Bustamante is flagrantly ignoring that law, enacted by the people of California, which it is your duty to enforce.

Mr. Bustamante is inundating California's airways with television advertisements ostensibly opposing Proposition 54 on the October 7th ballot. In reality, they are intended to aid his campaign for Governor.

Let me call to your attention the following points:

Not only do the television advertisements clearly identify Mr. Bustamante, he is virtually the entire focus. In one 30-second spot, Mr. Bustamante is onscreen for 26 seconds and his name is mentioned four times. It is difficult to imagine how he could be more clearly identified.

Chairperson Randolph
September 30, 2003
Page Two

The Cruz Bustamante Committee Against Proposition 54 (Cruz Bustamante, Treasurer) was created on September 5th – just 32 days prior to the election – and began airing television commercials almost immediately. That's definitely within the 45-day limit.

Mr. Bustamante not only controls the Cruz Bustamante Committee Against Proposition 54 and serves as its Treasurer, he also controls and serves as Treasurer of the Lt. Governor Bustamante 2002 Committee, which has transferred \$3.8 million of illegally raised campaign funds to his ballot measure committee. The television commercials are being produced by the same consultants running his gubernatorial campaign. Obviously, the commercials are airing at his behest.

- As of this morning, the Cruz Bustamante Against Proposition 54 Committee had reported contributions totaling \$4.86 million. The largest contribution was \$3.8 million – clearly more than \$26,600. Only three contributions were reported within the limit.

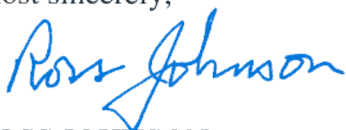
Enclosed is a copy of Mr. Bustamante's latest ad, together with a transcript. All of the other information is available on the Secretary of State's website.

That Mr. Bustamante is grossly ignoring the plain meaning of the law should be beyond dispute. The real \$4.85 million question is: What are you going to do about it?

Will you take immediate action against Bustamante or will you stand silently by and do nothing?

Thirty-six million Californians, who depend on you to enforce campaign finance laws, deserve an answer now.

Most sincerely,



ROSS JOHNSON
Senator, 35th District

RJ:co

Latest Bustamante No on Proposition 54 Commercial

(Video shows Cruz Bustamante behind a desk. Text in the corner says "Proposition 54 is bad for California's health.")

Announcer: Proposition 54 is bad for California's health.

(Video shows Cruz Bustamante and President Bill Clinton shaking hands with a crowd on September 15, 2003)

Announcer: President Bill Clinton helped Lieutenant Governor **Cruz Bustamante** who is campaigning hard against proposition 54.

*(Video shows Bustamante speaking at a podium. In text it says "**Bustamante** says Prop. 54 is an attack on our healthcare system and it must be defeated.")*

Announcer: The Los Angeles Times quotes **Cruz Bustamante**.

Mr. Bustamante: Proposition 54 is an attack on our healthcare system and it must be defeated.

Announcer: Join **Cruz Bustamante**, California's nurses and doctors in voting against Proposition 54 on Tuesday October 7th.

*(Video close with a still shot of Cruz Bustamante on one side and a young woman clapping and holding a No on 54 bumper sticker. The text below says "Paid for by **the Cruz Bustamante** Committee Against Prop. 54, Lt. Governor **Bustamante** 2002 Committee & Santa Rosa Rancheria.")*

In the 30 second spot Cruz Bustamante is on the screen for 26 seconds.

The announcer mentions Bustamante's name as many times as he mentions Proposition 54.